

Resolution No.: 04-02-23

Introduced: 04-17-23

Adopted: 04-17-23

Effective: 07-01-23

BOARD OF MANAGERS
FOR
CHEVY CHASE VILLAGE, MD

SUBJECT: AN ORDINANCE TO APPROPRIATE AND ADOPT THE FISCAL YEAR 2024 BUDGET AND TO LEVY A TAX ON CERTAIN REAL AND PERSONAL PROPERTY UNDER THE PROVISIONS OF §6-203 OF THE TAX-PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AS AMENDED.

WHEREAS, §5-205 *et seq.* of the Local Government Article, Annotated Code of Maryland, authorizes the Board of Managers to provide for the control and management of its finances and spend money for any public purpose and for the safety, health, and general welfare of the Village and its occupants; and

WHEREAS, §6-203 of the Tax-Property Article, of the Annotated Code of Maryland (as amended), grants authority to municipal corporations to levy a tax on personal property, land, and improvements thereon, within the municipal corporation; and

WHEREAS, Section 206 of the Chevy Chase Village Charter authorizes the Board of Managers to adopt such ordinances as it deems necessary for the health, safety and welfare of the Village; and

CAPS

[Brackets]

Asterisks * * *

: Indicate matter added to existing law.

: Indicate matter deleted from law.

: Indicate matter remaining unchanged in existing law but not set forth in Ordinance

WHEREAS, Section 403 of the Chevy Chase Village Charter authorizes the Board to appropriate and adopt a budget and to levy a tax on all taxable real property and all taxable personal property in the Village after a public meeting; and

WHEREAS, the proposed real property tax rate will not exceed the constant yield rate as defined in §6-308 of the Tax-Property Article, Annotated Code of Maryland; and

WHEREAS, after proper notice to the public, the Board of Managers conducted public hearings at which it considered the budget and tax levy in public session assembled on March 13, 2023 and by public session assembled on April 10, 2023; and

WHEREAS, the Board of Managers has given the required notice to Village voters that the proposed budget and tax levy would be considered for adoption at the time of the Annual Meeting of the Village on April 17, 2023; and

WHEREAS, the Board of Managers has determined that it is in the public interest to adopt the FY 2024 budget for the Village as attached hereto; and

WHEREAS, the Board of Managers has determined that it is in the public interest to levy a tax rate of seven and twelve one hundredths cents (\$.0712) per One Hundred Dollars of full value assessment on all taxable real property located within the corporate limits of Chevy Chase Village; and

WHEREAS, the Board of Managers has determined that it is in the public interest to levy a tax rate of sixty-six cents (\$.66) per One Hundred Dollars of full value assessment on all taxable personal property located within the corporate limits of Chevy Chase Village; and

WHEREAS, the Board of Managers finds that the ordinance as hereinafter set forth is necessary to assure the good government of the Village; for the protection and preservation of

the Village's property, rights and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger and destruction; and for the protection and promotion of the health, comfort, and convenience of the residents of the Village.

NOW THEREFORE, the Board of Managers of Chevy Chase Village does hereby adopt the following ordinance:

AN ORDINANCE TO APPROPRIATE AND ADOPT THE FISCAL YEAR 2024 BUDGET AND TO LEVY A TAX ON CERTAIN REAL AND PERSONAL PROPERTY UNDER THE PROVISIONS OF §6-203 OF THE TAX-PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AS AMENDED.

SECTION 1.

BE IT ORDAINED AND ORDERED this 17th day of April, 2023, by the Board of Managers of Chevy Chase Village, acting under and by virtue of the authority granted to it by §5-201 *et seq.* of the Local Government Article, Annotated Code of Maryland, and Section 206 and Section 403 of the Village Charter, that the budget for fiscal year July 1, 2023 through June 30, 2024, attached hereto and incorporated herein by reference, be and the same hereby is appropriated and adopted.

SECTION 2.

AND BE IT FURTHER ORDAINED AND ORDERED, this 17th day of April, 2023, by the Board of Managers of Chevy Chase Village, acting under and by virtue of the authority granted to it by §5-201 *et seq.* of the Local Government Article, Annotated Code of Maryland, § 6-203 of the Tax-Property Article, of the Annotated Code of Maryland (as amended), and Section 206 and Section 403 of the Village Charter, hereby levies a tax at the rate of seven and twelve one

hundredths cents (\$.0712) per One Hundred Dollars of full value assessment on all taxable real property located within the corporate limits of Chevy Chase Village.

SECTION 3.

AND BE IT FURTHER ORDAINED AND ORDERED, this 17th day of April, 2023, by the Board of Managers of Chevy Chase Village, acting under and by virtue of the authority granted to it by §5-201 *et seq.* of the Local Government Article, Annotated Code of Maryland, §6-203 of the Tax-Property Article, of the Annotated Code of Maryland (as amended), and Section 206 and Section 403 of the Village Charter hereby levies a tax at the rate of sixty-six cents (\$.66) per One Hundred Dollars of full value assessment on all taxable personal property located within the corporate limits of Chevy Chase Village.

SECTION 4.

AND BE IT FURTHER ORDAINED AND ORDERED, this 17th day of April, 2023, by the Board of Managers of Chevy Chase Village, acting under and by virtue of the authority granted to it by §5-201 *et seq.* of the Local Government Article, Annotated Code of Maryland and Sec. 206 and Sec. 403 of the Village Charter that:

- (1) The tax levied hereby be certified to the County Council for Montgomery County, Maryland, and that Montgomery County, Maryland be, and hereby is, authorized and directed to collect and pay over said tax to Chevy Chase Village; and
- (2) The Director of Finance for Montgomery County, Maryland be advised of this Ordinance; and
- (3) If any part of provision of this ordinance is declared by a court of competent jurisdiction to be invalid, the part of provision held to be invalid shall not affect the validity of the ordinance as a whole or any remaining part thereof; and

- (4) This ordinance shall take effect on the 1st day of July, 2023, provided the same is posted at the Village Office for fourteen (14) days prior thereto.

CHEVY CHASE VILLAGE

Elissa A. Leonard, Chair
Board of Managers
Chevy Chase Village

ATTEST:

Shana R. Davis-Cook, Village Manager